

CONSUMER PRODUCT SAFETY COMMISSION**16 CFR Ch. II****Semiannual Regulatory Agenda**

AGENCY: Consumer Product Safety Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulatory actions the Commission expects to be under development or review by the agency during the next year. This document meets the requirements of the Regulatory Flexibility Act and Executive Order 12866.

DATES: The Commission welcomes comments on each subject area of the agenda, particularly from small entities. Written comments concerning the agenda should be received in the Office of the Secretary by November 29, 2007.

ADDRESSES: Comments on the regulatory flexibility agenda should be captioned "Regulatory Flexibility Agenda" and be e-mailed to cpsc-os@cpsc.gov or filed by fax to (301) 504-0127. Comments may also be mailed or delivered to the Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East-West Highway, Bethesda, MD 20814-4408.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact Barbara E. Parisi, Office of the General Counsel, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814-4408; Telephone (301) 504-7879. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) (5 U.S.C. 601-612) contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the RFA (5 U.S.C. 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of the subject area of any rule expected to be proposed or promulgated that is likely to have a "significant economic impact" on a "substantial number" of small entities. The agency must also provide a summary of the nature of the rule, and a schedule for acting on each rule for which the agency has issued a notice of proposed rulemaking.

The regulatory flexibility agenda is also required to contain the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small entities and to solicit their comments by direct notification, or by inclusion in publications likely to be obtained by such entities.

Additionally, Executive Order 12866 requires each agency to publish twice each year a regulatory agenda of regulations under development or review during the next year, and states that such an agenda may be combined with the agenda published in accordance with the RFA. The regulatory flexibility agenda lists the regulatory activities expected to be under development or review during the next 12 months. It includes all such activities, whether or not they may have a significant economic impact on a substantial number of small entities. The complete agenda is published at www.reginfo.gov.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814-4408.

Dated: August 17, 2007.

NAME: Todd A. Stevenson,
Secretary, Consumer Product Safety Commission.

The 19 Regulatory Agendas

Consumer Product Safety Commission - Proposed Rule

| Title | Regulation Identifier Number |
|--|------------------------------|
| Flammability Standard for Upholstered Furniture | 3041-AB35 |
| Portable Bed Rails | 3041-AB91 |
| Possible Revocation or Amendment of Standard for the Flammability of Mattresses and Mattress Pads (Cigarette Ignition) | 3041-AC27 |
| Regulatory Options for Infant Pillows | 3041-AC30 |
| Regulatory Options for Lead Toy Jewelry | 3041-AC41 |

Consumer Product Safety Commission - Final Rule

| Title | Regulation Identifier Number |
|---|------------------------------|
| Amendment of the Standard for the Flammability of Clothing Textiles | 3041-AB68 |
| All-Terrain Vehicles | 3041-AC28 |

Consumer Product Safety Commission - Long-term Action

| Title | Regulation Identifier Number |
|--|------------------------------|
| Amendment of Safety Regulations for Cribs | 3041-AB67 |
| Safety Standard for Baby Bath Seats | 3041-AC03 |
| Petition CP 03-1/HP 03-1 Requesting a Standard for Bunk Bed Corner Posts | 3041-AC10 |
| Petition CP 04-1/HP 04-1 Requesting Mandatory Fire Safety Standards for Candles and Candle Accessories | 3041-AC22 |
| Mandatory Safety Standard for Cigarette Lighters | 3041-AC25 |
| Proposed Standard To Address Open-Flame Ignition of Bedclothes | 3041-AC26 |
| Regulatory Options for Table Saws | 3041-AC31 |
| Fireworks Devices | 3041-AC35 |
| Portable Generators | 3041-AC36 |
| Civil Penalty Factors | 3041-AC40 |

Consumer Product Safety Commission - Completed Action

| Title | Regulation Identifier Number |
|---|------------------------------|
| Flammability Standards for Carpets and Rugs | 3041-AC38 |
| Safety Standard for Automatic Residential Garage Door Openers | 3041-AC42 |

Consumer Product Safety Commission (CPSC)**RIN:** 3041-AB35**Title:** Flammability Standard for Upholstered Furniture

Abstract: On October 23, 2003, the Commission issued an ANPRM to expand the scope of the ongoing upholstered furniture flammability proceeding to include both cigarette and small open flame-ignited fires. The staff developed a draft standard addressing both cigarette and small open flame ignition, and held public meetings in 2004 and 2005 to present and discuss the draft. On January 31, 2006, the staff sent a briefing package containing a revised draft standard and describing regulatory options to the Commission. The staff forwarded follow-up status reports on various technical research efforts in November 2006 and December 2006. The staff continues to perform laboratory testing and other research to support a possible proposed rule. CPSC staff is considering possible impacts of flame-retardant chemical use on human health and the environment. The CPSC staff has evaluated potential health risks associated with textile and foam filling material flame retardants. At the CPSC staff's request, the National Institute for Occupational Safety and Health studied potential worker exposure to and risks from certain flame-retardant chemicals that may be used by textile and furniture producers to comply with an upholstered furniture flammability standard. CPSC staff has also worked with the Environmental Protection Agency to (a) develop a significant new use rule (SNUR) for flame-retardant compounds used in residential upholstered furniture fabrics or fillings under that agency's Toxic Substances Control Act Authority, and (b) identify and encourage the use of environmentally-preferable flame retardants under a Design for the Environment industry/government partnership. The Design for the Environment report was published in September 2005. Further, at the CPSC staff's request, the National Toxicology Program of the Department of Health and Human Services is initiating health studies of several flame retardants for which toxicity data are lacking.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 16 CFR 1640 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 15 USC 1193, Flammable Fabrics Act; 5 USC 801

Legal Deadline: None

Regulatory Plan:

Statement of Need: For 2001-2003, an annual average of approximately 4,000 residential fires in which upholstered furniture was the first item to ignite resulted in an estimated 330 deaths, 580 civilian injuries, and about \$115 million in property damage that could be addressed by a flammability standard. The total annual societal cost attributable to these upholstered furniture fire losses was approximately \$1.9 billion. This total includes fires ignited by small open-flame sources and cigarettes.

Legal Basis: Section 4 of the Flammable Fabrics Act (FFA) (15 U.S.C. 1193) authorizes the Commission to issue a flammability standard or other regulation for a product of interior furnishing if the Commission determines that such a standard is "needed to adequately protect the public against unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage." The Commission's regulatory proceeding could result in several actions, one of which could be the development of a mandatory standard requiring that upholstered furniture sold in the United States meet mandatory labeling requirements, resist ignition, or meet other performance criteria under test conditions specified in the standard.

Alternatives: (1) The Commission could issue a mandatory flammability standard if the Commission finds that such a standard is needed to address an unreasonable risk of the occurrence of fire from ignition of upholstered furniture; (2) the Commission could issue mandatory requirements for labeling of upholstered furniture, in addition to, or as an alternative to, the requirements of a mandatory flammability standard; and (3) the Commission could terminate the proceeding for development of a flammability standard and rely on a voluntary standard if a voluntary standard would adequately address the risk of fire and substantial compliance with such a standard is likely to result.

Costs and Benefits: The estimated annual cost of imposing a mandatory standard to address ignition of upholstered furniture will depend upon the test requirements imposed by the standard and the steps manufacturers take to meet those requirements. Again, depending upon the test requirements, a standard may reduce cigarette and small open flame-ignited fire losses, the annual societal cost of which was \$1.9 billion for 2001-2003. Thus, the potential benefits of a mandatory standard to address the risk of ignition of upholstered furniture could be significant, even if the standard did not prevent all such fires.

Risks: The estimated average annual cost to society from all residential fires associated with upholstered furniture was \$1.9 billion for 2001-2003. Societal costs associated with upholstered furniture fires are among the highest associated with any product subject to the Commission's authority. A standard has the potential to reduce these societal costs.

Timetable:

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| ANPRM | 06/15/1994 | 59 FR 30735 |
| Other | 03/17/1998 | 63 FR 13017 |
| Other | 03/20/2002 | 67 FR 12916 |
| Other | 08/27/2003 | 68 FR 51564 |
| ANPRM | 10/23/2003 | 68 FR 60629 |
| ANPRM Comment Period End | 12/22/2003 | |
| Other | 10/28/2004 | |
| Other | 05/18/2005 | |
| Other | 01/31/2006 | |
| Other | 11/03/2006 | |
| Other | 12/28/2006 | |
| Other | 12/00/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Dale R. Ray

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AB91**Title:** Portable Bed Rails

Abstract: The Commission is considering whether certain portable bed rails present an unreasonable risk of injury that should be regulated. A portable bed rail is a device intended to be installed on an adult bed to prevent a child from falling out of the bed. Such bed rails may be constructed in a manner that allows children to become entrapped between the portable bed rail and the bed. This entrapment can result in serious injury or death. In October 2000, the Commission issued an advance notice of proposed rulemaking (ANPRM) addressing this issue. The ASTM International standard for bed rails has since been revised and staff is evaluating the adequacy of, and conformance to, the revised standard. Following this evaluation, the Commission staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 06/28/2000 | |
| Other | 09/21/2000 | |
| ANPRM | 10/03/2000 | 65 FR 58968 |
| ANPRM Comment Period End | 12/04/2000 | |
| Other | 10/01/2001 | |
| Other | 10/30/2001 | |
| Other | 10/01/2005 | |
| Other | 11/00/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Patricia L. Hackett

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC27**Title:** Possible Revocation or Amendment of Standard for the Flammability of Mattresses and Mattress Pads (Cigarette Ignition)

Abstract: The Commission published an advance notice of proposed rulemaking (ANPRM) in the Federal Register on June 23, 2005, requesting comments on a rulemaking proceeding that could result in revoking or amending its existing flammability standard that includes a test for cigarette ignition of mattresses and mattress pads (16 CFR part 1632). On January 13, 2005, the Commission issued a proposed flammability standard for mattresses and mattress and foundation sets that prescribes an open flame ignition test. Some commenters to that rulemaking stated that they believe that once the new mattress standard is in effect the cigarette ignition test currently required in 16 CFR 1632 will not be necessary and conducting both tests will be burdensome for industry. The Commission issued this ANPRM to begin consideration of whether the existing mattress standard should be revoked or amended. The staff is analyzing the public comments. A research project examining the criteria for self-sustained smoldering began in late 2006.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 16 CFR 1632 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 1193, Flammable Fabrics Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 00/00/0000 | |
| ANPRM | 06/23/2005 | 70 FR 36357 |
| ANPRM Comment Period End | 08/22/2005 | |
| Other | 09/30/2006 | |
| Other | 04/00/2008 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Patricia K. Adair

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC30**Title:** Regulatory Options for Infant Pillows

Abstract: On July 13, 2006, the Commission voted 3-0 to grant a petition requesting that the Commission amend the ban on infant pillows under 16 CFR 1500.18(a)(16)(i). The staff prepared a draft advance notice of proposed rulemaking (ANPRM) concerning infant pillows to initiate a rulemaking proceeding under the Federal Hazardous Substances Act (FHSA) to identify the product and the risk of injury associated with infant pillows, summarize regulatory alternatives, and invite comments from the public. On September 27, 2006, the Commission issued the ANPRM. Staff is reviewing public comments and will prepare an options briefing package for Commission consideration.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 16 CFR 1500.18(a)(16)(i) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 09/07/2006 | |
| Other | 09/14/2006 | |
| ANPRM | 09/27/2006 | 71 FR 56418 |
| ANPRM Comment Period End | 11/27/2006 | |
| Other | 12/00/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Suad Wanna-Nakamura, Ph.D

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC41**Title:** Regulatory Options for Lead Toy Jewelry

Abstract: On December 11, 2006, the Commission voted 2-0 to grant a petition requesting a ban on toy jewelry containing more than 0.06 percent lead by weight. On December 27, 2006, the Commission approved an advance notice of proposed rulemaking (ANPRM), which was published in the Federal Register on January 9, 2007. The public comment period ended March 12, 2007. CPSC staff will review public comments and prepare a briefing package for Commission consideration as to whether to continue with rulemaking.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|-----------|
| Other | 12/27/2006 | |
| Other | 01/09/2007 | 72 FR 920 |
| Other | 03/12/2007 | |
| Other | 01/00/2008 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** Undetermined**Agency Contact:** Kristina Hatlelid, Ph.D.

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E-Mail: khatlelid@cpsc.gov**Consumer Product Safety Commission (CPSC)****RIN:** 3041-AB68**Title:** Amendment of the Standard for the Flammability of Clothing Textiles

Abstract: The Standard for the Flammability of Clothing Textiles prohibits the manufacture, importation, or sale of clothing and fabrics and related materials intended for use in clothing, which are dangerously flammable because of rapid and intense burning. The standard prescribes the apparatus, procedure, and criteria to be used for testing to determine compliance with that standard. The standard was made mandatory by the Flammable Fabrics Act of 1953 (Pub. L. 83-88, 67 Stat. 111; June 30, 1953). Some of the equipment and procedures specified by the standard, particularly those for laundering and cleaning of test specimens, have become obsolete, unavailable, or unrepresentative of current practices. The staff prepared a briefing package describing modifications of the standard that may be needed to assure that the test in the standard is conducted with equipment and procedures representative of conditions to which garments currently are exposed. After consideration of the briefing package, the Commission decided to begin a proceeding for amendment of the standard. An advance notice of proposed rulemaking (ANPRM) was published in the Federal Register on September 12, 2002. The staff reviewed public comments and proposed amendments for Commission consideration. On January 12, 2007, the Commission voted to publish a notice of proposed rulemaking in the Federal Register. The comment period closed on May 14, 2007. The staff is currently evaluating the comments and preparing a final rule briefing package for Commission consideration.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No

CFR Citation: 16 CFR 1610 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 15 USC 1191, Flammable Fabrics Act

Legal Deadline: None

Timetable:

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 06/11/2002 | |
| Other | 08/28/2002 | |
| ANPRM | 09/12/2002 | 67 FR 57770 |
| ANPRM Comment Period End | 11/12/2002 | |
| Other | 11/30/2006 | |
| Other | 12/08/2006 | |
| Other | 01/12/2007 | |
| Other | 01/10/2007 | |
| Other | 02/27/2007 | 72 FR 8843 |
| NPRM Comment Period End | 05/14/2007 | |
| Other | 11/00/2007 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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Consumer Product Safety Commission (CPSC)

RIN: 3041-AC28

Title: All-Terrain Vehicles

Abstract: On October 14, 2005, the Commission published an advance notice of proposed rulemaking (ANPRM) concerning all terrain vehicles (ATVs). Issuance of the ANPRM initiated a rulemaking proceeding under the Consumer Product Safety Act (CPSA) and the Federal Hazardous Substances Act (FHSA). After reviewing the regulatory alternatives and the comments submitted in response to the ANPRM, the staff developed a May 31, 2006, briefing package recommending that the Commission issue a notice of proposed rulemaking (NPRM) that would formally ban three-wheeled ATVs and mandate performance, training, labeling, and information requirements for four-wheeled ATVs. Other non-regulatory activities also were recommended, including the launch of an ATV safety Web site and a two-phase information and education effort. A Commission briefing was held on June 15, 2006. On July 12, 2006, the Commission voted 3-0 to approve publication of the draft NPRM with changes in the Federal Register. The NPRM was published on August 10, 2006, with a comment closing date of October 24, 2006. Seven ATV manufacturers and distributors requested a 60-day extension of the comment period. The Commission granted their request, and the comment closing date was extended to December 26, 2006. Staff is conducting research as directed by the Commission in its vote on July 12, 2006.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 16 CFR 1307; 16 CFR 1410; 16 CFR 1500; 16 CFR 1515 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Consumer Product Safety Act; 15 USC 1261; Federal Hazardous Substances Act

Legal Deadline: None**Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 09/15/2005 | |
| Other | 10/05/2005 | |
| ANPRM | 10/14/2005 | 70 FR 60031 |
| ANPRM Comment Period End | 12/13/2005 | |
| Other | 05/31/2006 | |
| Other | 07/12/2006 | |
| Other | 08/10/2006 | 71 FR 45903 |
| Other | 10/20/2006 | 71 FR 61923 |
| NPRM Comment Period End | 10/24/2006 | |
| Other | 12/26/2006 | |
| Other | 12/00/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Elizabeth W. Leland

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E-Mail: eleland@cpsc.gov**Government Levels Affected:** Undetermined**Consumer Product Safety Commission (CPSC)****RIN:** 3041-AB67**Title:** Amendment of Safety Regulations for Cribs

Abstract: On December 16, 1996, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that could result in amendment of the safety regulations for full-size and non-full-size cribs, 16 CFR parts 1508 and 1509. Among the regulatory alternatives under consideration is amendment of the regulations to add tests to assure that slats will not disengage from the side panels of cribs. The Commission began this proceeding after considering information about incidents in which crib slats disengaged from the side panels of cribs, creating a risk that children may become entrapped between the remaining slats or fall out of the crib. At the urging of CPSC staff, in April 1999, the voluntary standard for cribs designated, "Specification for Full Size Baby Cribs (ASTM F1169-99)," and published by ASTM International was revised to include performance requirements for crib slats. CPSC staff is currently assessing the adequacy of and conformance with the voluntary standard. Following this assessment, the staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 16 CFR 1508 to 1509 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline: None****Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 00/00/0000 | |
| Other | 09/30/1996 | |
| ANPRM | 12/16/1996 | 61 FR 65996 |
| ANPRM Comment Period End | 02/14/1997 | |
| Other | 04/10/1999 | |
| Other | 03/01/2000 | |
| Other | 03/27/2001 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Patricia L. Hackett

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Government Levels Affected: Undetermined**Consumer Product Safety Commission (CPSC)****RIN:** 3041-AC03**Title:** Safety Standard for Baby Bath Seats

Abstract: An advance notice of proposed rulemaking (ANPRM), published in the Federal Register on August 1, 2001, requested comments on a rulemaking proceeding that could result in a mandatory rule addressing baby bath seats. These are consumer products used to hold an infant in a bathtub while the child is being bathed. The staff briefed the Commission on July 28, 2003, and the Commission received oral comments from the public on the same date. The staff evaluated the comments received at the hearing and sent a briefing package to the Commission. In October of 2003, the Commission voted to direct the staff to prepare a notice of proposed rulemaking (NPRM) for the Commission's consideration. On December 29, 2003, the NPRM was published in the Federal Register. The comment period closed on March 15, 2004. Since the NPRM, staff worked with ASTM International to revise the voluntary standard for bath seats (ASTM F1967). The standard was revised in 2004 and again in 2007. Staff is currently evaluating the adequacy of the revised standard. Following this evaluation, staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 00/00/0000 | |
| ANPRM | 08/01/2001 | 66 FR 39692 |
| ANPRM Comment Period End | 10/01/2001 | |
| Other | 05/08/2003 | |
| Other | 07/28/2003 | |
| Hearing | 07/28/2003 | |
| Other | 10/16/2003 | |
| Other | 12/29/2003 | 68 FR 74878 |
| NPRM Comment Period End | 03/15/2004 | |
| Other | 10/01/2005 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** Undetermined**Related RINs:** Related to 3041-AB93**Agency Contact:** Patricia L. Hackett

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC10**Title:** Petition CP 03-1/HP 03-1 Requesting a Standard for Bunk Bed Corner Posts

Abstract: A petition from the Danny Foundation requests that the Commission establish a standard to address an alleged hazard of strangulation posed by bunk bed corner posts. The petitioner asserts that due to the height of bunk beds, corner posts on bunk beds pose a substantial risk to children when the children's clothing, bedding, or other items become caught on the corner posts. On November 8, 2002, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The comment period closed on January 7, 2003. On April 13, 2004, the staff sent a briefing package to the Commission on this issue. On July 30, 2004, the Commission voted to defer action on the petition while the staff continues to work with the ASTM International bunk bed subcommittee on this issue. A revised voluntary standard for bunk beds was published in October 2004 that incorporates warning language about hangings associated with bunk beds and attaching items to the bed. CPSC staff worked with the subcommittee to develop requirements to address strangulation hazards with vertical protrusions. A revised standard was approved on July 15, 2007.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 553(e), Administrative Procedure Act; 15 USC 1262(j), Federal Hazardous Substances Act; 15 USC 2058(i), Consumer Product Safety Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------------------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 10/23/2002 | |
| Notice | 11/08/2002 | 67 FR 68107 |
| Comment Period End | 01/07/2003 | |
| Other | 04/13/2004 | |
| Other | 07/30/2004 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Susan Bathalon

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC22**Title:** Petition CP 04-1/HP 04-1 Requesting Mandatory Fire Safety Standards for Candles and Candle Accessories

Abstract: The National Association of State Fire Marshals requests that the Commission issue mandatory safety standards for candles and candle accessories such as candleholders. The request was docketed as a petition for rulemaking on March 10, 2004. A notice requesting comment on the petition was published in the Federal Register on April 6, 2004. The comment period closed on June 7, 2004. On July 10, 2006, CPSC staff sent a briefing package to the Commission for consideration and recommended that the Commission defer action on the petition. On July 19, 2006, the Commission voted 3-0 to defer the petition and directed the staff to provide updates on the progress of voluntary standards activities. Staff provided a status report to the Commissioners on June 6, 2007.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 553(e), Administrative Procedure Act; 15 USC 2051, Consumer Product Safety Act; 15 USC 1261, Federal Hazardous Substances Act

Legal Deadline: None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 03/10/2004 | |
| Other | 04/06/2004 | 69 FR 18059 |
| Other | 06/07/2004 | |
| Other | 07/19/2006 | |
| Other | 07/10/2006 | |
| Other | 06/06/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No

Federalism: Undetermined

Energy Affected: No

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC25

Title: Mandatory Safety Standard for Cigarette Lighters

Abstract: In November 2001, a petition from the Lighter Association, Inc. requested that the Commission issue a rule to adopt an ASTM International voluntary safety standard for cigarette lighters. In November 2004, the Commission voted to grant the petition and initiate a rulemaking proceeding. An advance notice of proposed rulemaking (ANPRM) was published in April 2005 and the comment period closed on June 10, 2005. Staff completed monitoring conformance of lighters with the voluntary standard, and sent a status report to the Commission for consideration in October 2006.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 553(e); Administrative Procedure Act; 15 USC 2051; Consumer Product Safety Act

Legal Deadline: None

Timetable:

| Action | Date | FR Cite |
|--------------------------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 03/25/2005 | |
| Other | 03/31/2005 | |
| ANPRM | 04/11/2005 | 70 FR 18339 |
| ANPRM Comment Period End | 06/10/2005 | |
| Other | 10/01/2005 | |
| Other | 05/15/2006 | |
| Other | 10/10/2006 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC26**Title:** Proposed Standard To Address Open-Flame Ignition of Bedclothes

Abstract: On January 13, 2005, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding for development of a flammability standard to address risks of death, injury, and property damage from fires associated with open-flame ignition of bedclothes. Bedclothes are a major contributor to mattress ignition. Commission staff reviewed research indicating that mattresses and bedclothes operate together as a system in fires involving mattresses. Research has suggested that improved flammability performance of some bedclothes can reduce the fire hazard. The Commission staff will review public comments received on the ANPRM and conduct research on the fire hazard presented by burning bedclothes and the relationship with mattresses. Staff will prepare a decision package for Commission consideration.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 16 CFR 1634 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1193; Flammable Fabrics Act; 5 USC 801**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|------------|
| Other | 00/00/0000 | |
| Other | 01/13/2005 | 70 FR 2514 |
| Other | 03/14/2005 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Allyson Tenney

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E-Mail: atenney@cpsc.gov**Consumer Product Safety Commission (CPSC)****RIN:** 3041-AC31**Title:** Regulatory Options for Table Saws

Abstract: On July 11, 2006, the Commission voted 2-1 to grant a petition requesting that the Commission issue a rule prescribing performance standards for a system to reduce or prevent injuries from contacting the blade of a table saw. The Commission also directed the staff to prepare an advance notice of proposed rulemaking (ANPRM) initiating a rulemaking proceeding under the Consumer Product Safety Act (CPSA) to identify the product and the risk of injury associated with table saw blade contact injuries, summarize regulatory alternatives, and invite comments from the public. A draft advance notice of proposed rulemaking will be prepared for Commission consideration.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 553(e), Administrative Procedure Act; 15 USC 2051, Consumer Product Safety Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|---------|
| Other | 00/00/0000 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Caroleene Paul

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC35**Title:** Fireworks Devices

Abstract: The staff prepared a draft advance notice of proposed rulemaking (ANPRM) concerning fireworks devices requesting comments on whether there is a need for the agency to update and strengthen its regulation of fireworks devices and sent it to the Commission for consideration on June 26, 2006. On June 30, 2006, the Commission voted 3-0 to issue an advance notice of proposed rulemaking. The ANPRM was issued on July 12, 2006. The comment period on the ANPRM closed on September 11, 2006. Commission staff is evaluating comments received.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 16 CFR 1500; 16 CFR 1507 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1261, Federal Hazardous Substances Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 06/26/2006 | |
| Other | 06/30/2006 | |
| Other | 07/12/2006 | 71 FR 39249 |
| Other | 09/11/2006 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** James Joholske

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC36**Title:** Portable Generators

Abstract: On December 5, 2006, the Commission voted 2-0 to issue an advance notice of proposed rulemaking (ANPRM) under the Consumer Product Safety Act (CPSA) concerning portable generators. The ANPRM discusses regulatory options that could reduce portable generator-related deaths and injuries, particularly those related to carbon monoxide poisoning. The ANPRM was published in the Federal Register on December 12, 2006. Staff is reviewing public comments.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 2051, Consumer Product Safety Act**Legal Deadline:** None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 06/29/2006 | |
| Other | 10/12/2006 | |
| Other | 10/26/2006 | |
| Other | 10/26/2006 | |
| Other | 11/21/2006 | |
| Other | 12/12/2006 | 71 FR 74472 |
| Other | 02/12/2007 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Janet L. Buyer

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E-Mail: jbuyer@cpsc.gov**Consumer Product Safety Commission (CPSC)****RIN:** 3041-AC40**Title:** Civil Penalty Factors

Abstract: Section 20(b) and (c) of the Consumer Product Safety Act, 15 USC 2069(b) and (c), require certain factors to be considered in assessing and compromising civil penalties. The Commission proposed a new interpretive rule that identifies and explains related factors that may be considered by the Commission and staff in evaluating the appropriateness and amount of a civil penalty. On July 12, 2006, the Commission solicited comments on a proposed new interpretive rule. The comment period closed on August 11, 2006. CPSC staff will prepare a briefing package for Commission consideration concerning the content of a possible final interpretive rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 16 CFR 1119 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 15 USC 2069(b) and (c), Consumer Product Safety Act

Legal Deadline: None**Timetable:**

| Action | Date | FR Cite |
|--------|------------|-------------|
| Other | 00/00/0000 | |
| Other | 07/12/2006 | 71 FR 39248 |
| Other | 08/12/2006 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** John Gibson Mullan

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Consumer Product Safety Commission (CPSC)**RIN:** 3041-AC38**Title:** Flammability Standards for Carpets and Rugs

Abstract: The Consumer Product Safety Commission administers two flammability standards for carpets and rugs: 16 CFR part 1630--Standard for the Flammability of Carpets and Rugs, and 16 CFR part 1631--Standard for the Surface Flammability of Small Carpets and Rugs. The standards establish minimum acceptance criteria for the surface flammability of carpets and rugs when exposed to a standard small source of ignition under prescribed conditions (the "pill test"). The standards define the ignition source in relevant part as a methenamine tablet, sold by the Eli Lilly Company, or an equal tablet. Commission staff learned that the Eli Lilly Company was no longer producing the methenamine tablets specified in the carpet and rug standards. Accordingly, the Commission published a notice of proposed rulemaking (NPRM) in the Federal Register on November 13, 2006, that would remove the reference to the Eli Lilly Company and amend the standards to address the issue of what is considered an "equal" methenamine tablet. The comment period closed on January 29, 2007. Staff is preparing a final rule briefing package.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 16 CFR 1630; 16 CFR 1631 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1193, Flammable Fabrics Act**Legal Deadline: None****Timetable:**

| Action | Date | FR Cite |
|-------------------------|------------|-------------|
| Other | 10/03/2006 | |
| Other | 10/10/2006 | |
| Other | 10/20/2006 | |
| Other | 10/31/2006 | |
| NPRM | 11/13/2006 | 71 FR 66145 |
| NPRM Comment Period End | 01/29/2007 | |
| Other | 09/10/2007 | |
| Other | 09/20/2007 | |
| Other | 10/03/2007 | |
| Other | 10/12/2007 | |
| Final Action | 10/26/2007 | 72 FR 60765 |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

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Consumer Product Safety Commission (CPSC)

RIN: 3041-AC42

Title: Safety Standard for Automatic Residential Garage Door Openers

Abstract: The Commission is amending its safety standard for automatic residential garage door operators, 16 CFR part 1211, to incorporate changes that Underwriters Laboratories Inc. ("UL") has made to its UL 325 standard. The Commission issued its garage door operator standard in 1992 pursuant to PL 101-608, which made the entrapment protection provisions of UL 325 a mandatory consumer product safety standard. The law also provided for revisions to the entrapment protection requirements of the UL 325 standard to be incorporated into the Commission's standard. This rulemaking incorporates changes in the UL standard that address the hazard of children becoming entrapped if a child becomes stuck under a partially open door and the door moves down when a bystander presses the wall control button. The Commission issued a notice of proposed rulemaking (NPRM) on January 18, 2007, 72 FR 2217. The Commission received no comments on the proposal. The Commission voted to issue the final rule which was published on September 27, 2007, 72 FR 54816.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 16 CFR 1211 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 15 USC 2063; 15 USC 2065; sec 203 of PL 101-608, 104 Stat 3110

Legal Deadline: None

Timetable:

| Action | Date | FR Cite |
|--------------|------------|-------------|
| Other | 01/18/2007 | 72 FR 2217 |
| Other | 02/20/2007 | |
| Other | 08/09/2007 | |
| Other | 08/17/2007 | |
| Other | 09/05/2007 | |
| Other | 09/13/2007 | |
| Final Action | 09/27/2007 | 72 FR 54816 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Renae Rauchschtalbe

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